

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

United States of America
ex rel. ALEX DOE, Relator,

The State of Texas
ex rel. ALEX DOE, Relator,

The State of Louisiana
ex rel. ALEX DOE, Relator,
Plaintiffs,

v.

Defendants.

CIVIL ACTION NO. 2:21-CV-
00022-Z

Date: October 6, 2022

**AFFILIATE DEFENDANTS' MOTION FOR RECONSIDERATION OR
CLARIFICATION OF THIS COURT'S SEPTEMBER 8, 2022 ORDER
RELATING TO COMMON-INTEREST PRIVILEGE**

Defendants Planned Parenthood Gulf Coast ("PPGC"), Planned Parenthood of Greater Texas, Inc. ("PPGT"), Planned Parenthood South Texas, Inc. ("PPST"), Planned Parenthood Cameron County, Inc. ("PP Cameron County"), and Planned Parenthood San Antonio, Inc. ("PP San Antonio") (collectively "Affiliate Defendants") move that this Court reconsider or clarify its September 8, 2022 Order to clarify that the common interest doctrine does not shield from production any communications that are not independently privileged or any communications involving an unrepresented party and accordingly: (1) neither Texas nor Relator can shield from

production on the basis of the common interest privilege communications between Relator and Texas prior to Relator's retention of counsel for the purpose of bringing this case; (2) both Plaintiffs must produce any such documents in their possession; and (3) Texas's claw-back of REL_046934, REL_022869, REL_022870, and REL_022871 on the grounds of common-interest privilege was improper.

WHEREFORE, Affiliate Defendants respectfully move that this Honorable Court clarify its September 8 Order.

Dated: October 6, 2022

Respectfully submitted,

ARNOLD & PORTER KAYE SCHOLER
LLP

By: /s/ Tirzah S. Lollar

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CERTIFICATE OF SERVICE

I hereby certify that on October 6, 2022, the foregoing document was electronically filed with the Clerk of Court using CM/ECF.

/s/ Tirzah S. Lollar

Tirzah S. Lollar